

MINUTES OF MARION CITY COUNCIL REGULAR MEETING
CITY COUNCIL CHAMBERS
TUESDAY, AUGUST 9, 2016
6:30 P.M.

A regular meeting was held by City Council on Tuesday, August 9, 2016 at 6:30 p.m. over which Mayor Bobby L. Davis presided. Council members Michael Baker, Ralph Atkinson, Ronald Atkinson, Odessa Gregg, Joseph Frazier and Emerson Hunt were present. Also present were City Administrator Alan Ammons, City Treasurer Patricia Brown City Clerk Pam Jones and City Attorney Kenneth Davis.

Mayor Davis called the meeting to order and Councilwoman Gregg gave the opening prayer. Mr. Ammons led the Pledge of Allegiance. Mayor Davis welcomed citizens, guests and the press. (Hometown TV).

Mayor Pro-tem Ronald Atkinson made a motion to approve the minutes of the regular meeting July 12, 2016, seconded by Councilman Michael Baker; motion carried.

Randy Brown of the Maintenance Department, was named *July Employee of the Month* and presented with a gift certificate. Mayor Davis stated that Mr. Brown was doing an excellent job for the City.

The Mayor's Monthly Beautification award for July was awarded to the A-Team Neighborhood Watch. Ms. Dolly Boyer accepted the award on their behalf and Mayor Davis thanked Ms. Boyer for the A-Team's help in keeping Marion clean and beautiful. Ms. Boyer thanked the Mayor for the award and commented that she would present it to the Neighborhood Watch A-Team at their next meeting.

Senator Kent Williams was not present to give the report on Highway Funding.

Mayor Pro-tem Ronald Atkinson made a motion to appoint Yolanda Moore as Chairman of the Citizen's Advisory Committee, seconded by Councilman Joseph Frazier; motion carried.

Councilman Michael Baker made a motion to approve 2nd Reading on **ORDINANCE 16-05 AN**
ORDINANCE OF THE CITY OF MARION, SOUTH CAROLINA TO AMEND SECTION 7-5013 OF THE CITY

OF MARION CODE OF ORDINANCES SO AS TO AUTHORIZE THE MAYOR TO WAIVE FACILITY USAGE FEES. Councilman Joseph Frazier seconded; motion carried.

Mayor Pro-tem Ronald Atkinson made a motion to approve 2nd Reading on **ORDINANCE 16-06, AN ORDINANCE TO REPEAL SECTION 6-4210 AND SECTION 6-4203(I) AND TO AMEND SECTION 6-4202 TO CONFORM WITH STATE LAW FOR FISCAL YEAR 2017.** Councilman Michael Baker seconded the motion; motion carried.

Councilman Michael Baker made a motion to approve 2nd Reading on **ORDINANCE 16-07, AN ORDINANCE OF THE CITY OF MARION, SOUTH CAROLINA TO AMEND THE BUSINESS AND PROFESSIONAL LICENSE ORDINANCE, WHICH IS INCORPORATED BY REFERENCE IN SECTION 7-4001 OF THE CODE OF ORDINANCES FOR THE CITY OF MARION, SO AS TO PROVIDE A DEFINITION OF NUISANCE AND TO REVISE THE APPEAL PROCESS.** This Ordinance allows the City a means to revoke a business license, but gives them an appeals process for a hearing. Mayor Pro-tem Ronald Atkinson seconded the motion; motion carried.

Councilman Michael Baker made a motion to accept 2nd Reading on **ORDINANCE 16-08, AN ORDINANCE OF THE CITY OF MARION, SOUTH CAROLINA TO AMEND SECTION 6-1009 OF THE CODE OF ORDINANCES OF THE CITY OF MARION, SOUTH CAROLINA, AS TO PROVIDE FOR A FURTHER DESCRIPTION OF THE PROHIBITED CONDUCT,** seconded by Councilwoman Odessa Gregg; motion carried.

Councilman Ralph Atkinson made a motion to hold a Public Hearing to Annex Property at Corner of East Highway 76 and Market Drive, as approved by Planning Commission, on September 13th at 6:20 pm, before the regular Council meeting at 6:30 pm, Councilwoman Odessa Gregg seconded the motion; motion carried.

Councilman Michael Baker made a motion to approve the SRO Agreement with Marion County Schools in the amount of \$86,831 for one SRO Officer and Marion High and one SRO Officer at Johnakin, seconded by Mayor Pro-tem Ronald Atkinson. Councilman Ralph Atkinson asked if the issue about the away ball games had been addressed to which Mr. Ammons responded that it was addressed and is in the contract. The motion carried.

Mayor Pro-tem Ronald Atkinson made a motion to proceed with the sale of surplus equipment. Mr. Ammons commented that the City would sell the old track loader on gov.deals with a minimum bid of \$5,000 and advertised at SC Business Opportunities. The motion was seconded by Councilman Joseph Frazier. Mr. Ammons stated that the ad would run on line for 7 days and this was the only surplus item for sale. Mayor Davis commented that the money from the sale would be put toward the track loader we wish to purchase (item 16.) Motion carried.

Mayor Pro-tem Ronald Atkinson made a motion to accept the low bid of \$190,300 from Blanchard Caterpillar in Florence, for a track loader for the landfill; seconded by Councilman Joseph Frazier; motion carried.

ADMINISTRATOR'S REPORT

Mr. Ammons reported that Dan Vismore met with the Planning Commission and went over the Comprehensive Plan and will be meeting again next week. He should be able to present a draft copy of the Plan to Council in the next 60 days in order to answer any questions or additions. This will enable us to have it completed by the end of the year, which will meet our guidelines. Mr. Ammons passed around a flyer for help available for anyone who still had damage from the flood in October. In April we applied for a grant from Public Safety for 25 body worn cameras and the computer system hard drive and storage system for the Police Department. The total amount was \$29,280 and we were awarded \$15,723, which will allow us to get 15 cameras. We should be able to get funding next year for the remainder, as everyone that applied this year received only half of their request. Councilman Hunt commented that we should find funding to get every officer to get a camera, for their safety and protection, as well as the citizens. Mr. Ammons responded that we would be able to put them on all the patrol officers, but we would be short on others. Councilman Ralph Atkinson questioned as to whether the officers on one shift could pass the camera to officers on a different shift. Attorney Davis responded that this could possibly affect the chain of custody and in turn cause cases to be thrown out. Councilman Hunt commented that we can't afford to wait around to see if we "might" get another grant. Mayor Davis responded that Councilman Hunt was right, we can't wait around, and that he would check with MASC first, to see if we were going to get the money, (they have someone who can go to the legislature to see if we will get the money, before we ask Council for money to buy more cameras. Mr. Ammons commented that the United Fund Gala will be September 20th and any Council member who wants to attend should let Mrs. Brown know. The City will have a table at this event.

CITY ATTORNEY'S LEGAL UPDATE

Attorney Davis commented one thing to be looking down the road on is the issue of transgender citizens and the use of public facilities. He will stay on top of it and apprise the Mayor and Council of any new developments.

DEPARTMENTAL REPORTS

Mayor Davis commented that Council receives all departmental reports in their packets.

DISTRICTS AND CITY UPDATE FROM COUNCIL AND MAYOR

Councilman Emerson Hunt had no comment at this time.

Councilwoman Odessa Gregg thanked Mayor Davis for allowing her to speak to the Police Department. She has gotten positive feedback from some police officers after she offered her assistance if they needed her as chaplain.

Councilman Ralph Atkinson had no comment at this time.

Mayor Pro-tem Ronald Atkinson asked what the grant writer has been doing as we are not any getting any grants and has not seen anything in the packets that say what is being worked on. He commented that he knew getting grants was hard, but Mullins was able to get a grant for police cars. He does not see what the grant writer is doing for the City of Marion. At one time Mr. Baker suggested that the grant writer that was here before Vicki take classes. We used to get a report what grants were being applied for and the status, and we don't even get that any more. Mayor Davis commented the grant Mullins got was a JAG grant, we also applied for due to the fact that we didn't get the info we needed in time. We did get money to buy cameras. Mayor Pro-tem Atkinson inquired if we were doing all we could to get grants, to which Mr. Ammons responded that we were doing a lot of applying. Mayor Davis stated that Mrs. Nichols has received some info regarding a JAG grant that can be applied for in October. He further stated that he will make sure that info is in the packet for Council's review.

Councilman Joseph Frazier had no comment at this time.

Councilman Michael Baker stated that he on the loud music, he sent a note to Chief Tennie that there was a zero on the report again this month and that Chief Tennie sent back an explanation in writing. Mayor Davis commented that folks downtown are concerned that there is too much loud music on Main Street. Councilman Baker stated that his main concern that there were 0 citations for violating the noise ordinance this month, 1 last month, 1 the previous month, and 0 before that. Councilman Hunt commented that there are also loud mufflers, loud motorcycles and the decibels are high and it's hard to enforce because what is loud to one may not be loud to another. He further commented that if we don't have a decibel reader it would almost be unfair, because what I consider loud, another person may not. If we had a decibel reader it would at least be more consistent. Mayor Davis commented that most of the complaints that he and Mr. Ammons received were regarding loud noise at night downtown and we have an ordinance that does not allow loud music or loud noise after 10 p.m. Councilman Hunt commented that if there was a complaint, then there should be a formal complaint made by the person making the complaint. Mayor Davis responded that there is a noise ordinance in place and a citizen can report it without making a formal complaint.

Mayor Bobby L. Davis reminded everyone that Mrs. Ellen Baldwin would be holding her annual Back to School event at Pop Dorsey Park on August 13, from noon to 4pm. Mr. Craig Hopkins would be holding a New Beginnings event at Withlacoochee Park on August 13, beginning at 3 pm. Summer Camp ended today with a Back to School party in which school supplies were given to all campers. This year the kids went to Brookgreen Gardens, Wild Water & Wheels in Surfside Beach, and the Capitol Building in Columbia. We will hold the quarterly Town Hall meeting on August 15 at 6 pm at the Opera House. Guest speaker will be Mayor Stephen from the City of Columbia. Mayor Davis encouraged everyone to attend this very important Town Hall meeting, guest speaker will be Columbia Mayor Stephen Benjamin.

EXECUTIVE SESSION

Councilman Joseph Frazier made a motion to enter Executive Session to receive legal advice from the City Attorney, seconded by Mayor Pro-tem Ronald Atkinson; motion carried. Upon returning from Executive Session, Mayor Davis stated that no action was taken. Councilman Ralph Atkinson made a motion to return to open session, seconded by Mayor Pro-tem Ronald Atkinson; motion carried.

Mr. Tony Mozeak contacted the City Clerk today and asked to be removed from the agenda.

ADJOURNMENT

With no further business to discuss, Councilman Ralph Atkinson made a motion to adjourn, seconded by Mayor Pro-tem Ronald Atkinson, motion carried.

Mayor Bobby L. Davis

City Clerk Pam Jones

Taped August 9, 2016